

Points deduction as a sanction against English football clubs: a dysfunctional approach?

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**POINTS DEDUCTION AS A SANCTION AGAINST
ENGLISH FOOTBALL CLUBS:
A DYSFUNCTIONAL APPROACH?**

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Series editor – John Beech



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INTRODUCTION

The deduction of points by a league as a sanction against a club has a long history. The earliest recorded examples found during research for this project were the deduction of two points by The Combination against Wrexham in 1890, and a similar deduction against Grimsby Town by the Football Alliance the following year, immediately before the latter metamorphosed into the second division of the Football League.

In the lower tiers, an example from the Leicestershire Senior League in 1904 has been traced. The Football League seems to have been reluctant to use points deduction as a sanction, but in the lower leagues of English football the deduction of 1, 2 or even 3 points began to become normal practice for, in particular, the playing of ineligible players (typically where transfer procedures had not been completed by the time the player first appeared for the new team).

With the arguable exception of the deduction of 19 points from Peterborough United in 1969 – the figure of 19 being chosen simply to enforce Peterborough's relegation – for offering irregular bonuses to their players, the deduction of more than 4 points was rare until the twenty-first century. The introduction of an automatic 10 points deduction for entering an insolvency event (e.g. going into Administration) in most Leagues from 2003 onwards – anomalously the Premier League chose to deduct 9 points in what is to date only a theoretical situation – resulted in the process of points deduction having a much higher profile in the affairs of clubs.

THE BROADER DISCIPLINARY CONTEXT OF GOVERNING BODIES

The sanctions which a league can impose for disciplinary misdemeanours are laid down in Articles 10 to 12 of The FIFA Disciplinary Code (2007) – see Exhibit 1. The specific sanction of the deduction of points is given in Article 12, paragraph h).

Article 3 Scope of application: natural and legal persons

The following are subject to this code:

- a) associations;
- b) members of associations, in particular the clubs;
- c) officials;
- d) players;
- e) match officials;
- f) licensed match and players' agents;
- g) anyone with an authorisation from FIFA, in particular with regard to a match, competition or other event organised by FIFA;

h) spectators.

...

[Article 5 Definitions]

6. **Officials:** anyone, with the exception of players, performing an activity connected with football at an association or club, regardless of his title, the type of activity (administrative, sporting or any other) and the duration of the activity; in particular, managers, coaches and support staff are officials.

...

Article 10 Sanctions common to natural and legal persons

Both natural and legal persons are punishable by the following sanctions:

- a) warning;
- b) reprimand;
- c) fine;
- d) return of awards.

Article 11 Sanctions applicable to natural persons

The following sanctions are applicable only to natural persons:

- a) caution;
- b) expulsion;
- c) match suspension;
- d) ban from dressing rooms and/or substitutes' bench;
- e) ban from entering a stadium;
- f) ban on taking part in any football-related activity.

Article 12 Sanctions applicable to legal persons

The following sanctions are applicable only to legal persons:

- a) transfer ban;
- b) playing a match without spectators;
- c) playing a match on neutral territory;
- d) ban on playing in a particular stadium;
- e) annulment of the result of a match;
- f) exclusion from a competition;
- g) defeat by forfeit;
- h) deduction of points;
- i) demotion to a lower division.

From FIFA (2007)

Exhibit 1 Abstracts from FIFA Disciplinary Code

While the code makes a distinction between legal persons and natural persons (e.g. between clubs and club officials), it offers no guidance on circumstances in which a sanction should be made against a club and circumstances in which a sanction should be made against a club official. The process thus allows some flexibility in this decision, a decision which predetermines the possible punishments as defined in Articles 10 to 12.

The Football League sets out the penalties which may be imposed with respect to its member clubs as shown in Exhibit 2.

76 Decisions

76.1 The [Football Disciplinary Committee (FDC)] may at any time make a decision, and may make more than one decision at different times on different aspects of the matters to be determined.

76.2 A decision may:

76.2.1 order a party to do or refrain from doing anything

76.2.2 order a specific performance

76.2.3 make a declaration on any matter to be determined

76.2.4 order rectification setting aside or cancellation of a contract or other document

76.2.5 order the payment of money to one or more of the parties

76.2.6 issue a reprimand or warning as to the future conduct of a party

76.2.7 order compensation

76.2.8 order a suspension of membership of The League

76.2.9 order a deduction of points

76.2.10 impose a financial penalty payable to The League

76.2.11 recommend expulsion from membership of The League

76.2.12 order a withdrawal or loss of benefit otherwise available to members of The League e.g. basic award or ladder payment

76.2.13 impose an embargo on registration of Players

76.2.14 order any other sanction as the FDC may think fit

76.2.15 order that interest be payable on any sums awarded under this Regulation for such period and at such rates as the FDC thinks fit.

76.3 These sanctions may be imposed immediately or may be deferred

From Football League (2004)

Exhibit 2 Abstracts from The Regulations of the Football League

A choice of 15 specific sanctions are thus available.

Exhibit 3 shows the options available to the Premier League in disciplining its member clubs.

Commission's Powers

- 42. Upon finding a complaint to have been proved a Commission may:
 - 42.1 reprimand the Respondent;
 - 42.2 impose upon the Respondent a fine unlimited in amount;
 - 42.3 in the case of a Respondent who is a Manager, Match Official, Official or Player, suspend him from operating as such for such period as it shall think fit;
 - 42.4 in the case of a Respondent which is a Club:
 - 42.4.1 suspend it from playing in League Matches for such period as it thinks fit;
 - 42.4.2 deduct points scored or to be scored in League Matches;
 - 42.4.3 recommend that the Board orders that a League Match be replayed;
 - 42.4.4 recommend that the Company expels the Respondent from the League in accordance with the provisions of Rule B.7;
 - 42.5 order the Respondent to pay compensation unlimited in amount to any Person or to any Club (or club) [sic];
 - 42.6 cancel or refuse the registration of a Player registered or attempted to be registered in contravention of these Rules;
 - 42.7 impose upon the Respondent any combination of the foregoing or such other penalty as it shall think fit;
 - 42.8 order the Respondent to pay such sum by way of costs as it shall think fit which may include the fees and expenses of members of the Commission paid or payable under Rule R.41; and
 - 42.9 make such other order as it thinks fit.

...

Sporting Sanction

- 59. Upon a Club suffering an Event of Insolvency:
 - 59.1 the insolvent Club shall thereupon suffer a deduction of 9 points scored or to be scored in the League competition; and
 - 59.2 the Board shall forthwith give written notice to the insolvent Club to that effect.

From Premier League (2007)

Exhibit 3 Abstracts from Premier League Handbook Season 2007/08

It should be noted that the sanctions available to the Football League (under its Rule 76.2.14) and the Premier League (under its Rule 42.9) are boundless.

METHODOLOGY

The objectives of the research project were to:

1. establish the extent to which points deductions are imposed in English football;
2. identify whether this has changed over time;
3. assess the impact that points deduction has had on individual clubs, and, in particular, the extent to which points deduction affects promotion and relegation;
4. assess critically whether points deduction has or has not had dysfunctional outcomes.

In order to achieve these outcomes it was necessary to establish a database of cases of point deductions with a note of the impacts.

From preliminary research it rapidly became clear that a comprehensive survey of primary data was entirely unrealistic given the size of the English football pyramid and its change over the years. In order to conduct the research in a realistic manner it would be necessary to use secondary data sources.

Again this proved potentially problematic as no data source appeared to have been produced with a complete data set. All sources had begun data logging from the top of the current pyramid and worked both down the pyramid and back in time.

Three possible sources were identified:

- The Football Club History Database (Rundle, 2008)
- The Rec.Sport.Soccer Statistics Foundation (RSSSF, 2009)
- The Football Genome Project of the Association of Football Statisticians (The Association of Football Statisticians, 2009)

Of these, the Football Genome project was rejected as its current coverage is restricted to the top four tiers of the English pyramid. Accessing the other two databases using the Google search term “points deducted” site:[URL]’ revealed that a systematic approach for extracting data was possible. Of the two, The Football Club History Database proved the more useful as it allowed the tracking of clubs as they changed leagues and, in a few case, names.

The chosen methodology required that:

- sufficient cases be identified to give a strong indicative set of results given that conducting a population survey was unrealistic.
- examples of cases of dysfunctional outcomes, if any, be identified.

Using The Football Club History Database as the chosen source proved satisfactory on both counts.

RESULTS

Using the search method described above, and adding known cases of points deductions so far from the current season not yet logged at all in the database, led to the identification of 353 cases of points being deducted from a club. These cases involved 208 clubs. A small number of instances of reserve teams were excluded on the grounds that different standards of management between first teams and reserve teams is possible, the difference itself might well vary from club to club, and not all clubs operate reserve teams in league structures; in other words, their inclusion would have been likely to have distorted the results.

Change over time

Cases were classified by decade and the results are shown in Table 1

Decade	Instances	Points	Average
1890s	6	12	2.00
1900s	3	6	2.00
1910s	0	0	0.00
1920s	4	10	2.50
1930s	0	0	0.00
1940s	0	0	0.00
1950s	5	10	2.00
1960s	7	16	2.29
1970s	18	46	2.56
1980s	62	155	2.44
1990s	108	325	3.01
<i>2000-</i>	<i>140</i>	<i>406</i>	<i>2.90</i>

Table 1 Analysis of results by decade

The results in the final row are italicised as they are incomplete – they are incomplete for the season 2008/09 as they only include known examples from the top four tiers and the 2009/10 season is unstarted at the time of writing.

The results show that, beginning from the 1950s, there has been a steady increase in the number of instances of leagues deducting points as a sanction, and that the severity of the number of points deducted in each case is slowly rising.

A closer analysis of the incidence of deductions of 10 or more points, associated with the club entering an insolvency event, indicates that the last row, when complete, is likely to show a further rise in the average number of points deducted. Other research conducted by the author (Beech, Horsman and Magraw, 2008) shows that the number of clubs entering Administration each year is again on the rise.

Nineteen cases were identified, all but one since the 2002/03 season when the leagues introduced the automatic deduction for entering insolvency events. Of the 18 since then, 10 were for entering Administration, 4 were for failing to exit Administration into a Company Voluntary Arrangement (CVA), 1 was for entering an as yet unidentified insolvency event (Bromsbrough Borough V&E in 2007/08*), 1 for reasons not yet identified at all (Eppleton Colliery Welfare in 2002/03*), 1 for fielding an ineligible player (Altrincham in 2005/06) and 1 for financial irregularities relating to payments to agents (Luton Town, applied in 2008/09).

It should also be noted that the highest levels of points deduction have occurred recently as Table 2 shows.

Club	Season Start	League	No. of Points	Reason
Luton Town	2008	Football League League 2	20	Not entering CVA
Harwich & Parkeston	1995	Eastern Counties League Premier Division	19	? *
Altrincham	2005	Conference	18	Fielding ineligible player
Bournemouth	2008	Football League League 2	17	Not entering CVA
Rotherham United	2008	Football League League 2	17	Not meeting normal conditions for exiting Administration
Eppleton Colliery Welfare	2002	Northern League Division 2	15	? *
Leeds United	2007	Football League League 1	15	Not entering CVA

Table 2 Severest points deductions
Severity of points deduction

Table 3 shows the incidence of different numbers of points deducted for cases of 10 or fewer points deducted.

* If any reader can provide details, the author would be very pleased to hear from them

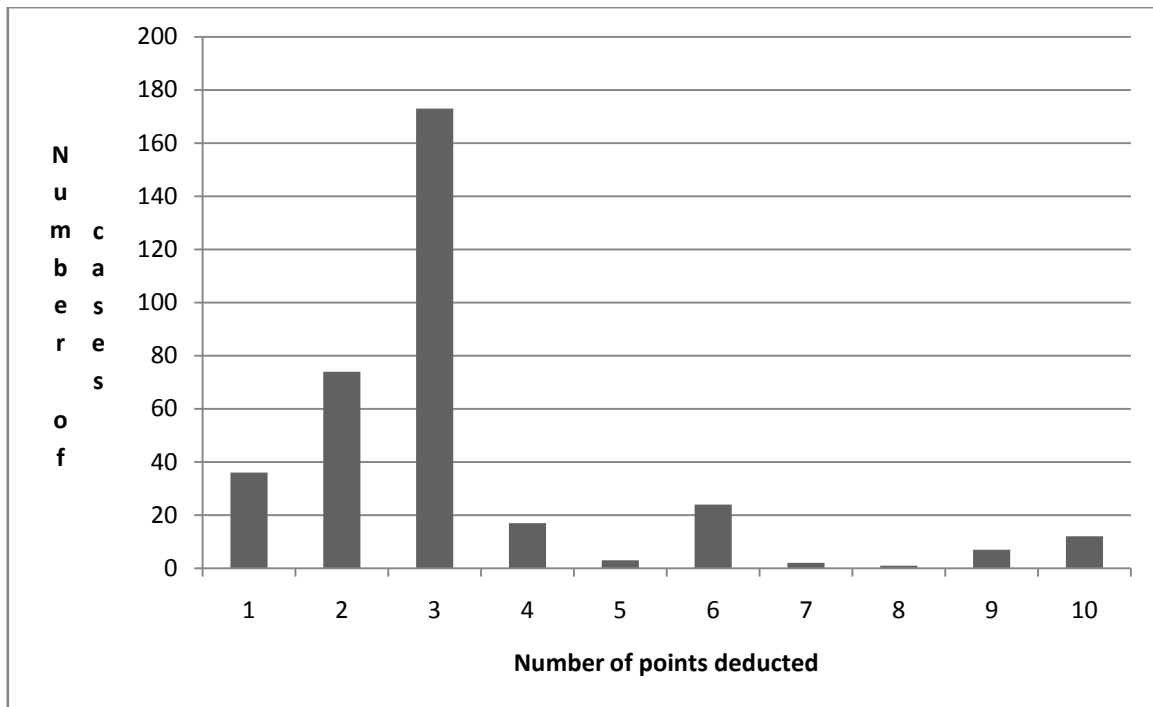


Table 3 Frequency of number of points deducted (10 or fewer)

Clearly the highest incidences are of three or fewer points. The majority of cases are related to the charge of playing an ineligible player; other offences include not playing a game, fighting by players, exceeding the approved financial budget (now required in the lower tiers of the Football League and in the Conference) and a single case of 'playing a fourth substitute' (no record of the punishment of the referee has been traced!).

A second (smaller) peak occurs at 6 points, but insufficient data (this data is not recorded in the Football Club History Database) has been found on the reasons in individual cases to comment meaningfully. Data on the cases for 9 points is also limited, but where the reason is known by the researcher it tends to be for more serious financial irregularities, but falling short of entering an insolvency event.

An analysis was made of when different values of points deductions had been made with a view to identifying any trends over time. In the pre-modern game, 2 points, and to a lesser extent 4 points, were the 'deduction of choice'. Higher value points deductions become more frequent only in the present decade, with the 10 point level only being breached in 1995 with the 19 points deduction against Harwich & Parkeston in 1995.

Details of all noted cases of a club being deducted 10 or more points are given in Table 4. The fifth column shows the number of times the club has been subject to points deduction.

Club	Season Start	League	No. of Points	No. of Times	Reason
Luton Town	2008	Football League League 2	20	3	Not entering CVA
Harwich & Parkeston	1995	Eastern Counties League Premier Div.	19	3	??
Altrincham	2005	Conference	18	1	Fielding ineligible player
Bournemouth	2008	Football League League 2	17	2	Not entering CVA
Rotherham United	2008	Football League League 2	17	3	Not meeting normal conditions for exiting Admin
Eppleton Colliery Welfare	2002	Northern League Division 2	15	3	??
Leeds United	2007	Football League League 1	15	2	Not entering CVA
Wrexham	2002	Football League League 1	10	2	Administration
Margate	2004	Conference South	10	1	Administration
Northwich Victoria	2004	Conference	10	1	Administration
Worksop Town	2004	Conference North	10	1	Administration
Crawley Town	2006	Conference	10	4	Administration
Leeds United	2006	Football League Championship	10		Administration
Rotherham United	2006	Football League League 1	10		Administration
Bournemouth	2007	Football League League 1	10		Administration
Broxbourne Borough V&E	2007	Spartan South Midlands PD	10	2	Insolvency event
Luton Town	2007	Football League League 1	10		Administration
Rotherham United	2007	Football League League 2	10		Administration
Luton Town	2008	Football League League 2	10		Financial irregularities (re payments to agents)

Table 4 Deduction of 10 or more points

Three clubs have been penalised with points deductions of 10 or more twice – Rotherham United, Leeds United and Bournemouth – and Luton Town have been penalised thus on three occasions in the space of two seasons. Of the clubs on the list, only Margate, Northwich Victoria and Worksop Town were having points deducted for the first time – all the other clubs were in varying degrees ‘repeat offenders’.

Effectiveness as a deterrent

Clubs listed in Table 4 were far from being an isolated group of re-offenders.

Of the 208 clubs which have had points deducted:

- 58.2% showed no repeat offending resulting in points being deducted;
- 24.5% have had points deducted on two occasions;
- 10.1% have had points deducted on three occasions;
- 2.9% have had points deducted on four occasions;
- 3.4% have had points deducted on five occasions;
- and no clubs have had points deducted on six occasions

However, one club has had points deducted on no less than seven occasions – Evenwood Town:

1950	Northern League	2 points deducted
1959	Northern League	2 points deducted
1965	Northern League	2 points deducted
1966	Northern League	4 points deducted
1978	Northern League	3 points deducted
1990	Northern League Div. 2	3 points deducted
2004	Northern League Div. 2	3 points deducted

In 2005 Evenwood Town became Spennymore Town following the mid-season collapse and disappearance of Spennymore United. So far under this new guise they have not had any further points deducted.

Even-handedness of leagues

The analysis of incidences of points deduction by the various leagues which govern their clubs is highly problematic as a) they have changed within the pyramid structure over time; b) their composition in terms of number of clubs has varied over time; and c) coverage in the Football Club History Database is not complete.

At the highest levels in the pyramid, analysis reveals the data shown in Table 5. The relatively low numbers mean the results should be treated with caution, but it is worth noting that points deduction rarely happens to clubs in the top two tiers.

Tier	No. of Instances	Indicative Number of Clubs
1A (Premier league since 1992)	0	20
1B (Football League Div. 1 prior to 1992)	1	24
Tier 2	1	24
Tier 3	6	24
Tier 4	7	24
Tier 5	8	24
Tier 6	6	44 (2 parallel divisions)

Table 5 Instances of points deduction in the top six tiers

At tiers 7 and 8 we find the first occurrence of leagues operating in parallel, distinguished by their geographical coverage. Incidences are:

Northern League (two, then three leagues); northern England
63 occurrences

Southern League (two, then three leagues); southern England, the English Midlands and parts of Wales
11 occurrences

Isthmian League (up to four leagues); south east England
9 occurrences

A marked difference seems to appear, indicating a north-south divide. A check of the coverage of the Football Club History Database shows that coverage is similar, and thus not a cause for the disparity.

A possible cause is the historically distinct attitude to the game. The Isthmian League in particular adopted a strongly anti-professionalism approach from its foundation in 1905. It was only in 1985 that it assumed a position in the league pyramid giving its clubs promotion to the conference. If the years in which points are deducted are looked at more closely, this reveals that:

Northern League: 20 of the 63 (32%) occurrences are pre-1985; 43 have been imposed since 1985

Southern League: 2 of the 11 (18%) occurrences are pre-1985; 9 have been imposed since 1985

Isthmian League: 4 of the 9 (44%) occurrences are pre-1985; 5 have been imposed since 1985

Clearly there remains a major discrepancy even after 1985, with clubs in the Northern League far more prone to having points deducted.

It should be noted that of the total of 83 occurrences across all three leagues, there is only one incidence of a deduction of 10 or more points.

What then might be the cause of this significant difference? Three possibilities occur:

1. Northern League clubs maintain a historical cultural difference in their attitude to the game. This seems unlikely in the post-commercial phase of the game. In any case, if the attitude did still manifest itself today, one would expect the Southern League to show a pattern closer to that of the Northern League than to that of the Isthmian League as the Southern League embraced professionalism far earlier than did the Isthmian League.
2. The Southern and Isthmian Leagues are much less likely to take action against clubs who field ineligible players (the most common offence incurring points deduction) than the Northern League. Again this seems unlikely as one would expect the clubs of the Northern League to have been aware of the discrepancy and to have protested about it. Such a significant discrepancy can only have continued over time with the acceptance of the basic disciplinary procedure by the clubs of the Northern League.
3. This suggests that the explanation lies in the Northern clubs possibly being more willing to field ineligible players as a tactic because the deduction of points is not seen as of any significance, and certainly the threat of the deduction is not seen as a deterrent. The impact of points deduction as a punishment is considered below.

CONCLUSIONS

For a case to be made that the deduction of points is dysfunctional it must be clear what the intended outcomes of such a punishment are. These are assumed to be that for any sanction the following must occur as a result of the sanction:

It must:

- a) punish
- b) the person or entity that deserves to be punished
- c) in a way that is considered to be appropriate
- d) to an extent that its imposition acts as a deterrent
- e) consistently and equitably.

Furthermore it must

- f) be seen to be doing so.

Punishment

The evidence is clear that for the vast majority of instances there is no direct punishment, i.e. it has no impact on possible promotion or on relegation. Of the 353 cases reviewed, there were :

7 cases where the club were champions even with the points deduction (Ansty Nomads 1981; Arsenal 1990; Askern Villa 2007; Keynsham Cricketers 1992; Owens Corning 1996; Porthleven 1978; Weymouth 2005)

16 other cases where the club was promoted from 'second spot' in spite of the deduction

There were only two cases where points deducted cost a club promotion:

Crawley Town – a 6 points deduction cost them the runner up spot and promotion from the Spartan South Midlands League Division Two in 2006/07.

Leeds United – a 15 points deduction cost them guaranteed promotion in 2007/08., and they failed in the play-offs.

For clubs at the lower end of a league table there were:

15 cases where there was no impact; clubs were mainly relegated anyway (12 cases), or there was no relegation from the league (2 cases), or the club folded (1 case)

18 cases where the club was relegated as a result

The cases of ten or more points being deducted show a greater impact however:

18 cases, of which 4 are from the current season so the outcome is not yet known.

1 club missed out on promotion as a result of the points deduction.

5 had no impact on the club's 'mid-table' position.

7 were relegated as a result.

1 club would have been relegated even if there had been no points deduction.

For the eighteen cases where the club was relegated as a result, and in particular the seven who had been punished for entering insolvency events and had thus had 10 or more points deducted, there is, in effect, a double punishment. Evidence from other research (Beech, Horsman & Magraw, 2008) shows that relegation can often be the start of a slide into an insolvency event. In other words, deducting 10 points for entering an insolvency event actually makes it more likely that the club involved will enter a further insolvency event.

Out of the 353 cases, 297 cases (84.4%) involved clubs who were unaffected in their 'mid table' position. In such cases it might be argued that there was a 'shaming' punishment, but the evidence of repeat offending undermines such an argument. Indeed there is evidence that the impact may be exactly the opposite of that intended, with a manager arguing that the points deducted from his club would motivate his players

to perform better – if this is correct, other clubs might claim the club with points deducted had been given an unfair advantage, which is ironic as the basis of the decision to deduct points from clubs rather than impose a sanction against an individual is that the club had gained an unfair advantage!

The object of the punishment

Ultimately any misdemeanour is the result of the actions of an individual, but, if the club has gained an unfair advantage, there is a rationale for punishing the club rather than the individual. This can lead to distinctly dysfunctional outcomes, as the punishment can, in some cases, only be seen as distinctly misdirected.

Luton Town started the 2008/09 season with the unenviable total of minus thirty points. These had been deducted as follows:

June 2008 – 10-point deduction after being found guilty of making illegal payments to agents (the investigation had been prompted by the then Luton Town manager ‘whistle-blowing’ regarding the payments);

July 2008 – Deducted a further 20 points after failing to satisfy Football League insolvency rules.

Very shortly after the second deduction Luton Town was bought by a consortium called LT2020. The new owners thus faced the start of the new season with a total of thirty points deducted that they were not in any way responsible for!

The case of Redditch United Girls FC in the current season was noted during the course of ancillary research. For failing to field a team to fulfil a fixture, the Under 14s team was deducted points. While this would be a standard punishment for an adult team, it seems highly inappropriate to penalise a junior team for what was clearly the responsibility of their adult manager.

At the root of problems with the object of the punishment is the lack of clear guidelines on when a ‘natural person’ should be punished and when a ‘legal person’ should be punished. Dysfunctional outcomes can arise when the legal person is punished because of misdemeanours by a clearly identifiable natural person.

Appropriacy

The question of whether a punishment is appropriate is highly subjective and therefore not discussed further. Cases of arguably the inappropriate ‘legal persons’ being punished have nevertheless been noted above.

Deterrence

As discussed above, there is little evidence that having points deducted has a deterrent effect. Also there may be a case to be made that for minor offences the deduction has become an acceptable tactic.

In the case of the deduction of ten or more points for entering an insolvency event, the evidence tends to suggest that not only does points deduction fail to deter, but also that it actually helps to cause re-offending by sending clubs into the potentially downward financial spiral triggered by relegation.

Consistency and Equitability

In general the systems applied to English football systems appear to be operated consistently. However, only the use of a published tariff system would allow this to be monitored.

If they are applied consistently, one might expect their application to be equitable. This is not however the case for two reasons.

Firstly the punishment may have secondary but grave consequences – relegation and the financial problems that it implies. Whether the club is relegated as a result is essentially a function of where their level of performance brings them to in the league table at the end of the season, which is largely, although not entirely, a function of factors which have nothing to do with the offence. In other words, there is a large element of chance which determines whether the club does or does not face this secondary punishment, and it would be naïve to suggest that the club has a fair chance to avoid the secondary punishment – the case of Luton Town starting a season on -30 points is the most glaring example of this.

Secondly, if an enforced relegation results, another club benefits by staying up. Perversely, it is therefore one of the weakest clubs in the league that gains a unique benefit. The strange case of Altrincham, saved from relegation from the Conference in three consecutive seasons by the misdemeanours of other clubs, shows how perverse this may be:

2005/06: Was clear of the relegation zone but in April 2006 had 18 points deducted for fielding an ineligible player (the Conference rules requiring that all points achieved while this player had played be deducted), meaning that Altrincham were bottom at the end of the season. However, Canvey Island resigned from the Conference following the withdrawal of its financial backer and Scarborough was expelled for going into Administration for a third time. Altrincham thus survived because of other clubs' misdemeanours and in spite of the massive points deduction.

2006/07: Although due to be relegated, Altrincham was spared because of the enforced relegation of Boston United from League 2

to the Conference North because of difficulties in complying with the CVA which they had entered.

2007/08: For the third consecutive season Altrincham finished in the relegation zone of the Conference, but escaped relegation because of the financial collapse and expulsion of Halifax Town.

It is hard to see any sense of equitability in this – 18 points deducted which placed the club in a clear relegation position, yet on three consecutive occasions it was the recipient of a secondary but very substantial benefit arising directly from sanctions against other clubs.

Transparency

In general the principle of deducting points is conducted transparently – the offences are clearly stated within the various leagues' rules and regulations.

However, the number of points to be deducted is often, but not invariably, discretionary, and the precise number may be crucial with regards to whether it results in relegation or failed promotion.

In a broader sense, wider issues of transparency give cause for concern. Consider the case of Oxford United, currently appealing the deduction of points from Crawley Town, Bognor Regis, Mansfield Town and themselves. Their complaint is that the Conference has no online facility to check that player registration forms have been received and processed, and thus points deduction for fielding a player in good faith who later turns out to be unregistered is unreasonable. The Conference is conducting a review of its procedures.

In similar vein, the deduction of 18 points from Altrincham discussed above is muddled by transparency of procedures issues. The player concerned had signed form another Conference club (Accrington Stanley). The problem with the player concerned only emerged when he left Altrincham to join an Australian club and it was discovered that he was in fact still registered in Iceland, where he had played before joining Accrington Stanley; Accrington Stanley did not suffer any points deduction as the player made no first team appearances for them, although the club would appear to have committed the same offence of signing him while he remained registered in Iceland.

Overall

From the evidence presented above, the system of deducting points is dysfunctional from a number of perspectives and may be summarised thus:

- Points deductions have no impact at all on the majority of clubs so sanctioned, and thus do not actually constitute a sanction.
- In the case of leagues or divisions from which there is no automatic relegation, the 'punishment' is superficial.

- They have a disproportionately negative impact on
 - high-flying clubs only very occasionally,
 - and low-flying clubs often.
- Their application appears to vary considerably from League to League, although this requires more research.
- Points deductions of 10 or more tend to force a relegation.

If for poor financial management, this **reduces** the chances of a return to sound financial management and is therefore counter-productive as a sanction.

If a club has been in Administration, there is often a change in ownership and the new (innocent) owners are punished for the sins of the (guilty but unpunished) previous owner.

While the principle of deducting points underpins the natural justice of trying to compensate what is seen to be a club gaining an unfair advantage, it too often fails to achieve this, and can trigger secondary and equally unfair advantages.

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